

FORM PTO-1390 (Modified)  
(REV. 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES**  
**DESIGNATED/ELECTED OFFICE (DO/EO/US)**  
**CONCERNING A FILING UNDER 35 U.S.C. 371**

18252

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

10/508815

INTERNATIONAL APPLICATION NO.  
PCT/JP03/03853INTERNATIONAL FILING DATE  
27 March 2003 (27.03.2003)PRIORITY DATE CLAIMED  
28 March 2002 (28.03.2002) \*

## TITLE OF INVENTION

**TEST PIECE FOR ANALYZING ORGANISM-ORIENTED SUBSTANCE, MANUFACTURING METHOD THEREFOR, AND EXAMINATION METHOD FOR TEST PIECE FOR ORGANISM-ORIENTED SUBSTANCE**

## APPLICANT(S) FOR DO/EO/US

Yoshinobu Akimoto and Morinao Fukuoka

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

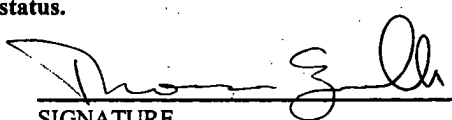
1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☒ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

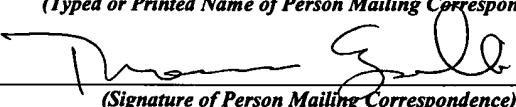
## Items 13 to 20 below concern document(s) or information included:

13. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
20. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
22. ☒ Express Mail Label No. EV261613427US
23. ☒ Other items or information:

Continuation of Priority Date Claimed: 7 January 2003 (07.01.2003)

Assignee: OLYMPUS CORPORATION of Tokyo, Japan

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.010)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
10/508815		PCT/JP03/03853		18252	
24. The following fees are submitted:				CALCULATIONS PTO USE ONLY	
<b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :</b>					
<input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO . . . . .				\$1080.00	
<input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO . . . . .				\$920.00	
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO . . . . .				\$770.00	
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) . . . . .				\$730.00	
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) . . . . .				\$100.00	
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				\$920.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).				\$0.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	* 98 - 20 =	78	x \$18.00	\$1,404.00	
Independent claims	* 3 - 3 =	0	x \$86.00	\$0.00	
Multiple Dependent Claims (check if applicable).			<input checked="" type="checkbox"/>	\$290.00	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$2,614.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$0.00	
<b>SUBTOTAL =</b>				\$2,614.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).				\$0.00	
<b>TOTAL NATIONAL FEE =</b>				\$2,614.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).			<input type="checkbox"/>	\$0.00	
<b>TOTAL FEES ENCLOSED =</b>				\$2,614.00	
*Claim count based on Preliminary Amendment filed herewith*				Amount to be: refunded	\$
				charged	\$
a. <input checked="" type="checkbox"/> A check in the amount of <u>\$2,614.00</u> to cover the above fees is enclosed.					
b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees.					
c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-1013/SSMP</u>					
d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
<b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO:					
<div>Thomas Spinelli Registration No.: 39,533  Scully, Scott, Murphy &amp; Presser 400 Garden City Plaza Garden City, NY 11530 (516) 742-4343  CORRESPONDENCE ADDRESS CUSTOMER NUMBER: 23389</div> <div> SIGNATURE  Thomas Spinelli NAME  39,533 REGISTRATION NUMBER  September 22, 2004 DATE</div>					

<b>CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)</b> Applicant(s): Yoshinobu Akimoto, et al.			Docket No. <b>18252</b>	
Application No. To be assigned	Filing Date Herewith	Examiner Unassigned	Customer No. <b>23389</b>	Group Art Unit Unassigned
Invention: <b>TEST PIECE FOR ANALYZING ORGANISM-ORIENTED SUBSTANCE, MANUFACTURING METHOD THEREFOR, AND EXAMINATION METHOD FOR TEST PIECE FOR ORGANISM-ORIENTED SUBSTANCE</b>				
<p>I hereby certify that the following correspondence:</p> <div style="border: 1px solid black; padding: 10px; margin: 10px 0;"> <b>NEW U.S. PATENT APPLICATION UNDER 35 U.S.C. 371</b> </div> <p style="text-align: center; font-size: small;">(Identify type of correspondence)</p> <p>is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on</p> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 20px;"> <div style="text-align: center;"> <u>September 22, 2004</u>  <small>(Date)</small> </div> <div style="text-align: center; width: 40%;"> <u>Thomas Spinelli</u>  <small>(Typed or Printed Name of Person Mailing Correspondence)</small>    <small>(Signature of Person Mailing Correspondence)</small> </div> <div style="text-align: center; width: 40%;"> <u>EV261613427US</u>  <small>("Express Mail" Mailing Label Number)</small> </div> </div>				
<p><b>Note: Each paper must have its own certificate of mailing.</b></p>				